

Article - Health Occupations

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§4–101.

- (a) In this title the following words have the meanings indicated.
- (b) “Board” means the State Board of Dental Examiners.
- (c) “Dental appliance” means any:
 - (1) Oral prosthesis;
 - (2) Orthodontic appliance;
 - (3) Regulatory appliance;
 - (4) Supportive appliance; or
 - (5) Other intraoral appliance or restoration.
- (d) “Dental hygienist” means an individual, other than a dentist, who practices dental hygiene.
- (e) “Dental laboratory” means any commercial laboratory or workroom in which a person engages in dental laboratory work.
- (f) “Dental laboratory work” means making, repairing, or altering a dental appliance extraorally.
- (f–1) “Dental professional corporation” means:
 - (1) A corporation solely owned by an individual or individuals licensed by the Board to practice dentistry and formed under Title 5 of the Corporations and Associations Article; or
 - (2) A professional service limited liability company owned solely by an individual or individuals licensed by the Board to practice dentistry and formed under Title 4A of the Corporations and Associations Article.
- (g) “Dentist” means an individual who practices dentistry.

(h) (1) “License” means, unless the context requires otherwise, a license issued by the Board to:

- (i) Practice dentistry; or
- (ii) Practice dental hygiene.

(2) “License” includes, unless the context requires otherwise:

- (i) A general license to practice dentistry;
- (ii) A limited license to practice dentistry;
- (iii) A teacher’s license to practice dentistry;
- (iv) A general license to practice dental hygiene;
- (v) A teacher’s license to practice dental hygiene;
- (vi) A retired volunteer dentist’s license to practice dentistry;
- (vii) A retired volunteer dental hygienist’s license to practice dental hygiene;
- (viii) A volunteer dentist’s license to practice dentistry;
- (ix) A volunteer dental hygienist’s license to practice dental hygiene;
- (x) A temporary volunteer dentist’s license to practice dentistry; and
- (xi) A temporary volunteer dental hygienist’s license to practice dental hygiene.

(i) (1) “Licensed dental hygienist” means, unless the context requires otherwise, a dental hygienist who is licensed by the Board to practice dental hygiene.

(2) “Licensed dental hygienist” includes, unless the context requires otherwise, a holder of:

- (i) A general license to practice dental hygiene;
- (ii) A teacher’s license to practice dental hygiene;

(iii) A retired volunteer dental hygienist's license to practice dental hygiene;

(iv) A volunteer dental hygienist's license to practice dental hygiene; or

(v) A temporary volunteer dental hygienist's license to practice dental hygiene.

(j) (1) "Licensed dentist" means, unless the context requires otherwise, a dentist who is licensed by the Board to practice dentistry.

(2) "Licensed dentist" includes, unless the context requires otherwise, a holder of:

(i) A general license to practice dentistry;

(ii) A limited license to practice dentistry;

(iii) A teacher's license to practice dentistry;

(iv) A retired volunteer dentist's license to practice dentistry;

(v) A volunteer dentist's license to practice dentistry; or

(vi) A temporary volunteer dentist's license to practice dentistry.

(k) "Practice dental hygiene" means to:

(1) Perform a preliminary dental examination;

(2) Perform a complete prophylaxis, including the removal of any deposit, accretion, or stain from the surface of a tooth or a restoration;

(3) Polish a tooth or a restoration;

(4) Chart cavities, restorations, missing teeth, periodontal conditions, and other features observed during preliminary examination, prophylaxis, or polishing;

(5) Apply a medicinal agent to a tooth for a prophylactic purpose;

- (6) Take a dental X ray;
- (7) Perform a manual curettage in conjunction with scaling and root planing;
- (8) Administer local anesthesia in accordance with § 4–206.1 or § 4–206.3 of this title;
- (9) Administer nitrous oxide in accordance with § 4–206.2 of this title; or
- (10) Perform any other intraoral function that the Board authorizes by a rule or regulation adopted under § 4–206 of this title.

(l) (1) “Practice dentistry” means to:

- (i) Perform or attempt to perform any intraoral dental service or intraoral dental operation;
- (ii) Diagnose, treat, or attempt to diagnose or treat any disease, injury, malocclusion, or malposition of a tooth, gum, or jaw, or structures associated with a tooth, gum, or jaw if the service, operation, or procedure is included in the curricula of an accredited dental school or in an approved dental residency program of an accredited hospital or teaching institution;
- (iii) Perform or offer to perform dental laboratory work;
- (iv) Place or adjust a dental appliance in a human mouth; or
- (v) Administer anesthesia for the purposes of dentistry and not as a medical specialty.

(2) “Practice dentistry” includes:

- (i) Patient evaluation, diagnosis, and determination of treatment plans;
- (ii) Determination of treatment options, including the choice of restorative and treatment materials and diagnostic equipment; and
- (iii) Determination and establishment of dental patient protocols, dental standards of care, and dental practice guidelines.

(m) Except as provided in § 4–308(f)(2) of this title, “supervision” means supervision of a dental hygienist by a dentist, where the dentist may or may not be present when the dental hygienist performs the dental hygiene procedures but is available on the premises.

(n) “Temporary dental clinic permit” means, unless the context requires otherwise, a temporary permit issued by the Board to a bona fide charitable organization to provide dental services to the poor, elderly, or disabled at a dental clinic.

(o) “Third party” means any person who collects premiums, assumes financial risks, pays claims, or provides administrative services relating to any:

- (1) Insurance policy;
- (2) Insurance contract;
- (3) Health prepayment contract;
- (4) Health care plan; or
- (5) Nonprofit health service plan contract.

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